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8/16/01
JL
ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

STEVEN L. ROMANSKY,
Petitioner

Civil Action No. 1:CV-00-1520

v.

(Judge Rambo)

CONNER BLAINE, JR.,
Respondent

**FILED
HARRISBURG**

AUG 15 2001

MARY E. D'ANDREA, CLERK
Per _____ DEPUTY CLERK

RESPONDENT'S ANSWER TO ORDER OF AUGUST 6, 2001

D. Michael Fisher, Attorney General of Pennsylvania, by Andrea F. McKenna, Senior Deputy Attorney General, attorneys for Respondent, file this Response to the Order of August 6, 2001, directing Respondent to furnish to the Court, within 20 days of this order, a complete copy of the transcript of petitioner's trial, to include the trial court's ruling on Romansky's motion to suppress as well as tape recordings of the alleged admissions by petitioner. This Answer, with attachments, responds to this Order.

Tape Recordings

1. A set of four (4) cassette tapes containing consensual recordings of conversations between Thomas Smithers and Steven Romansky is being delivered with this Response. These recordings were reproduced by the Office of Attorney General, Technical Services Unit, Bureau of Investigative Services, on August 13, 2001, from original recordings made with the assistance of agents of the Office of Attorney General on December 19, 1985, January 14, 1986 and January 19, 1986. The original recordings have at all times been in the custody of the Office of Attorney General.

Trial Transcript

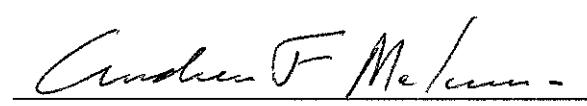
2. Appended to this Response are all portions of the Wayne County proceedings which have been transcribed; specifically, the testimony of Commonwealth witnesses Trooper Walter Moschowsky and Office of Attorney General Agent Russell W. Thomas. These are the only transcriptions in existence. See Attachment "A," Order of April 3, 1987. (Attachment "A" bears the docket number of the Wayne County prosecution and the signature of Wayne County Common Pleas Court Judge Robert Conway, P.J. The order is incorrectly captioned in the name of the Court of Common Pleas of Pike County.)

3. In 1999, the Office of Attorney General, through the undersigned, attempted to order a complete transcription of the entire Wayne County trial. Linus H. Myers, Wayne County Court administrator, researched the matter and determined that the original stenographic notes, which by Wayne County practice are the personal property of the recording stenographer, had been destroyed. See Attachment "B," letter dated January 29, 1999.

Respectfully submitted

D. MICHAEL FISHER
Attorney General

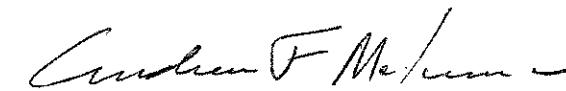
By:


ANDREA F. MCKENNA
Senior Deputy Attorney General
(Attorney I.D. #39717)

Office of Attorney General
Appeals & Legal Services Section
16th Floor, Strawberry Square
Harrisburg, PA 17120
(717) 787-6348
Dated: August 15, 2001

VERIFICATION

I, Andrea F. McKenna, hereby verify that the facts set forth in the foregoing Respondent's Answer to Order of August 6, 2001, are true and correct to the best of my knowledge or information and belief. This verification is given subject to the penalties of 18 P.A.C.S. § 4904 relating to unsworn falsification to authorities.



ANDREA F. MCKENNA
Senior Deputy Attorney General
Appeals and Legal Services Section
Attorney ID # 39717

Dated: August 15, 2001

IN THE COURT OF COMMON PLEAS OF PIKE COUNTY, PENNSYLVANIA
CRIMINAL

COMMONWEALTH OF PENNSYLVANIA :

Plaintiff :

v.

42
NO. 73-1986-CRIMINAL

STEVEN L. ROMANSKY,

Defendant :

ORDER

AND NOW, to wit, this 30 day of April, 1987,
upon request of Randolph T. Borden, Esquire, Attorney for
Defendant, Steven L. Romansky, it is hereby Ordered that the
Court Reporter's Notes of the testimony of Russell Thomas and
Walter Moschowsky at trial be transcribed along with the portion
of the trial record which dealt with the disallowance of the
lower court of Defendant's Requested Points for charge and
further, that the notes of testimony at Defendant's Sentencing
Hearing be transcribed with the costs of transcription to be
borne by the County of Wayne. *Costs, transcriptions to be
determined as in fact it is ordered, determined
by prothonotary defendant* BY THE COURT:

John Jones
P.J.

cc: Gregory Abeln
Lois Brown

WAYNE COUNTY
PROTHONOTARY AND
CLERK OF COURTS

APR 30 3 35 PM '87

CERTIFICATE UPON
THE 15TH DAY

APR 30 1987

PROTHONOTARY & CLERK

Janet Kester



JUDGE'S CHAMBERS
TWENTY-SECOND JUDICIAL DISTRICT OF PENNSYLVANIA
Wayne County Court House
925 Court Street
Honesdale, PA 18431-1996
(717) 253-5970
FAX (717) 253-2919

ROBERT J. CONWAY
President Judge

LINUS H. MYERS
Court Administrator

January 29, 1999

Andrea McKenna, Esq.
Office of Attorney General
16th Floor, Strawberry, Square
Harrisburg, Pa. 17120

Re: Romansky, Steven
Wayne County No. 42-1986 Criminal

Dear Atty. McKenna:

Enclosed please find excerpts of the notes of testimony of Russell Thomas from the trial of Commonwealth vs. Steven Romansky, September 15-17, 1986. As I indicated via phone this date, an entire transcript had never been produced. The original stenographic notes are no longer available to produce a transcript.

Very truly yours,

LINUS H. MYERS
Court Administrator

LHM/lm

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

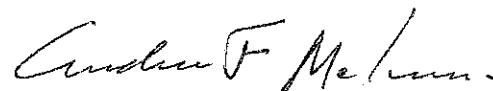
STEVEN L. ROMANSKY, :
Petitioner : Civil Action No. 1:CV-00-1520
v. :
: (Judge Rambo)
CONNER BLAINE, JR., :
Respondent :

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing Respondent's Answer to Order of August 6, 2001, upon the person(s) and in the manner indicated below:

Service by first class mail
addressed as follows:

Steven L. Romansky AY-8324
SCI Waynesburg,
175 Progress Drive
Waynesburg, Pa 15370-8090
(*pro se*)



ANDREA F. MCKENNA
Senior Deputy Attorney General
Attorney I.D. No. 39717
(Counsel for Respondent)

Office of Attorney General
Appeals and Legal Services Section
16th Floor, Strawberry Square
Harrisburg, PA 17120
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Dated: August 15, 2001